

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW MEXICO**

DOROTHY JEFFRIES,

Plaintiff,

v.

No. 1:22-CV-00685-DHU-SCY

DENNIS L. GARCIA,

Defendant.

**ORDER ADOPTING THE MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION**

This matter is before the Court on United States Magistrate Judge Steven C. Yarbrough's *Proposed Findings and Recommended Disposition* (the "PFRD"), filed June 2, 2023. Doc. 28. In the PFRD, the Magistrate Judge recommends dismissing without prejudice Plaintiff's *pro se* complaint against her brother for alleged malfeasance involving the siblings' elderly parents. In essence, Plaintiff claims that her brother, Defendant, wrongly sold their parents' home, leading Plaintiff to file her lawsuit challenging the sale of the home. The Magistrate Judge recommends dismissing Plaintiff's complaint for lack of standing because her complaint "allege[s] that Defendant caused injury to her parents" but not to Plaintiff individually. Doc. 28 at 6. The Magistrate Judge also recommends striking Plaintiff's second filed Opposition to Motion for Summary Judgment and an Affidavit because those documents were filed after briefing was completed on the dismissal motion and without the Court's leave under D.N.M.LR-Civ. 7.4(b).

In the PFRD, the parties were further notified that written objections were due within fourteen days and that, absent the filing of objections, no appellate review would be allowed. The Court's review of the docket shows that no objections have been filed on the record and the

deadline to do so has passed. Because no objections have been lodged, the recommendation of the Magistrate Judge is therefore adopted by this Court.

**IT IS THEREFORE ORDERED** that the Magistrate Judge's Proposed Findings and Recommended Disposition (Doc. 28) is **ADOPTED** and that Plaintiff Dorothy Jeffries' complaint against Defendant Dennis L. Garcia be **DISMISSED without prejudice**. The Court will enter a separate final judgment.

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'David Herrera Urias', written in a cursive style.

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HON. DAVID HERRERA URIAS  
UNITED STATES DISTRICT JUDGE